

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JULIO SMITH PARRA,

Plaintiff,

vs.

E.K. McDANIEL, *et al.*,

Defendants.

3:11-CV-00909-LRH-VPC

**ORDER**

Plaintiff, who is in the custody of the Nevada Department of Corrections, has filed an application to proceed in forma pauperis (ECF No. 1) and has submitted a Civil Rights Complaint pursuant to 42 U.S.C. § 1983 (ECF No. 1-2). Based on the financial information provided, the Court finds that plaintiff is unable to prepay the full filing fee in this matter. He shall be required to pay an initial installment toward that fee. Once the initial installment is received, the Court shall screen the complaint pursuant to 28 U.S.C. § 1519. Therefore,

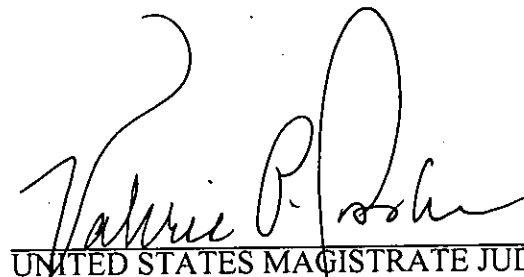
**IT IS ORDERED** as follows:

1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 1) is **GRANTED**; however, plaintiff must pay an initial partial filing fee of \$20.00 toward the full filing fee of three hundred fifty dollars (\$350.00). Plaintiff shall have thirty (30) days from the date this order is entered in which to have the designated fee sent to the Clerk of the Court. Failure to do so may result in dismissal of this action. Furthermore, even if this action is dismissed, the full filing fee must still be paid pursuant to 28 U.S.C. § 1915(b)(2).
2. The movant herein is permitted to maintain this action to conclusion without the necessity of prepayment of any additional fees or costs or the giving of security therefor.

1 This order granting leave to proceed *in forma pauperis* shall not extend to the issuance  
2 of subpoenas at government expense.

- 3 3. The Clerk of the Court shall **SEND** plaintiff two copies of this order. Plaintiff is ordered  
4 to make the necessary arrangements to have one copy of this order attached to the check  
5 in the amount of the designated fee, by sending a copy of the order with the "brass slip"  
6 for the amount of the fee to Inmate Services for the Nevada Department of Corrections.
- 7 4. Pursuant to 28 U.S.C. § 1915(b)(2), the Nevada Department of Corrections shall pay to  
8 the Clerk of the United States District Court, District of Nevada, 20% of the preceding  
9 month's deposits to plaintiff's account (inmate #65116), in the months that the account  
10 exceeds \$10.00, until the full \$350.00 filing fee has been paid for this action. The Clerk  
11 of the Court shall **SEND** a copy of this order to the Finance Division of the Clerk's  
12 Office. The Clerk shall also **SEND** a copy of this order to the attention of the Chief of  
13 Inmate Services for the Nevada Department of Corrections, P.O. Box 7011, Carson City,  
14 NV 89702.
- 15 5. Plaintiff is cautioned that failure to follow the order of the Court in this regard will result  
16 in dismissal of the action.

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18 DATED: January 9, 2012.

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21 UNITED STATES MAGISTRATE JUDGE  
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